

Appl. No. 09/237,718
Response dated Nov. 22, 2005
Reply to Final Office Action of Aug. 25, 2005

REMARKS

The final rejection set forth in the present application is based on claim amendments which the Applicants previously made to their independent claims by their preliminary amendment filed along with their Request for Continued Examination, mailed on May 31, 2005.

Very similar claim amendments were made by the Applicants to their independent claims, through an amendment mailed June 15, 2005, in their pending companion patent application serial number 09/352,378 (Applicants' case number: UCC-1/CIP/D1/RCE).

While the amendments made in the present application resulted in the present final action, the claim amendments made in the '378 application resulted in a Notice of Allowance (mailed September 15, 2005; Paper No./Mail Date 20050906).

Given these rather inconsistent results, the undersigned first telephoned the Examiner on October 19, 2005 to discuss the matter.

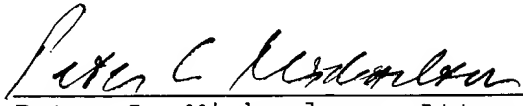
After further review and consultation with his colleagues at the US PTO, the Examiner in a telephone discussion with the undersigned earlier today agreed that the Final Rejection in the present application was not well-supported and is incorrect. He agreed that both applications should have been consistently treated.

Appl. No. 09/237,718
Response dated Nov. 22, 2005
Reply to Final Office Action of Aug. 25, 2005

Consequently, the Applicants now request the Examiner to appropriately reconsider the present application.

Respectfully submitted,

November 22, 2005


Peter L. Michaelson, Attorney
Reg. No. 30,090
Customer No. 007265
(732) 530-6671

MICHAELSON & ASSOCIATES
Counselors at Law
Parkway 109 Office Center
328 Newman Springs Road
P.O. Box 8489
Red Bank, New Jersey 07701

CERTIFICATE OF MAILING under 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited on **November 22, 2005** with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Signature


Reg. No.